

1 **REPORT TO THE ONEIDA COUNTY BOARD OF SUPERVISORS**
2 **RECOMMENDING DENIAL OF REZONE PETITION # 34-2005**

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4 Resolution offered by the Supervisors of the Planning and Zoning Committee.

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6 Resolved by the Board of Supervisors of Oneida County, Wisconsin:

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8 **WHEREAS**, the Planning and Zoning Committee has reviewed Rezone Petition #34-
9 2005, (copy attached), which was filed December 15, 2005 by the landowner to change the
10 zoning district from #02 Single Family to #07 Business in the Town of Lake Tomahawk; and
11

12 **WHEREAS**, the petitioner is requesting to rezone property described as Parcel "B" of
13 Genisot & Associate Drawing #10353, which is located in Section 14, T38N, R7E, Town of
14 Lake Tomahawk; and
15

16 **WHEREAS**, a public hearing was held on April 5, 2006 at the Sloan Community
17 Center in the Town of Lake Tomahawk pursuant to 59.69(5), Wisconsin Statutes; and
18

19 **WHEREAS**, approximately 20 letters were received in opposition to the Rezone
20 Petition; and
21

22 **WHEREAS**, the Town of Lake Tomahawk took no position on said change (copy
23 attached); and
24

25 **WHEREAS**, a majority of the public at the public hearing voiced opposition to the
26 Rezone Petition; and
27

28 **WHEREAS**, the Planning and Zoning Committee, being fully informed of the facts and
29 after full consideration of the matter, made the following findings and recommendation, which
30 the Oneida County Board of Supervisors has determined are reasonable. The Planning &
31 Zoning Committee reviewed Section 9.86(F) General Standards of the Oneida County Zoning
32 & Shoreland Protection Ordinance. The Committee concluded the following:

- 33 1. The change was not in accordance with the purpose of this ordinance.
- 34 2. Conditions have not changed in the area generally that justify the change proposed
- 35 in the petition.
- 36 3. The change was not in the public interest and would benefit only the petitioner and
- 37 future buyer.
- 38 4. The proposed change would adversely affect the character of the neighborhood.
- 39 5. The uses permitted by the proposed change are not appropriate for the area and
- 40 would likely generate conflicts amongst neighbors.
- 41 6. Neighboring landowners were opposed to the change.
- 42 7. There is a restrictive covenant that has been filed on the deed stating "No
- 43 commercial use shall be made of the premises at any time"; and
44

45 **NOW THEREFORE BE IT RESOLVED**, that the Oneida County Board of Supervisors
46 accepts the foregoing as the Planning and Zoning Committee's report recommending denial
47 of rezone petition #34-2005;and
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49 **NOW BE IT FURTHER RESOLVED**, by the Oneida County Board of Supervisors that
50 Rezone Petition #34-2005 is hereby denied. Within seven (7) days of passage, the County

51 Clerk shall send a certified copy along with the final results of the Board's decision to the
52 petitioner and the Lake Tomahawk Town Clerk.
53

54 Submitted this 3rd day of May 2006.
55

56 Vote Required: Majority = _____ 2/3 Majority = _____ ¾ Majority = _____
57

58 The County Board has the legal authority to adopt: Yes _____ No _____ as reviewed by the Corporation
59 Counsel, _____, Date: _____

60 Offered and passage moved by: _____
61 Supervisor
62

63 _____
64 Supervisor
65

66 _____
67 Supervisor
68

69 _____
70 Supervisor
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72 _____
73 Supervisor
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75 Seconded by: _____
76

77
78 _____ Ayes
79

80 _____ Nays
81

82 _____ Absent
83

84 _____ Abstain
85

86
87 _____ Adopted
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89 _____ by the County Board of Supervisors this _____ day of _____ 2006.
90

91 _____ Defeated
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93
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95 _____ Robert Bruso, Clerk _____ Andrew P. Smith, County Board Chair
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